

REMARKS

Introduction

Claims 1, 2, 9 and 11 are pending. Claims 1 and 11 have been amended. Support for these amendments can be found throughout the specification, for example, in the claims as filed. These amendments do not introduce new matter.

Claims 3-5 and 10 have been cancelled. Applicant expressly reserves the right to pursue these claims in other applications or in this application via rejoinder.

Rejection under 35 U.S.C. §112 (second paragraph)

The Examiner has rejected claims 1, 2, 5, and 9-11 under the second paragraph of 35 U.S.C. §112 as allegedly failing to distinctly claim the subject matter which the Applicant regards as the invention. Applicant disagrees.

The Examiner has stated that the term "having a reduced prekallikrein activator content" is allegedly indefinite. Applicant respectfully asserts that one of ordinary skill in the art would know that this term means that the albumin enriched fraction produced by the claimed method would have less prekallikrein activator than the starting material. This is disclosed, for example, on page 2, lines 17-23 of the specification as filed and can be attributed to at least the process in step (e) of claim 1. Considering the totality of the specification, the term "having a reduced prekallikrein activator content" is not indefinite and the withdrawal of this rejection is requested.

Rejection under 35 U.S.C. §112 (first paragraph)

The Examiner has rejected claims 1, 2, 10, and 11 under the first paragraph of 35 U.S.C. §112 for allegedly lacking enablement. Applicant disagrees, however, solely to expedite prosecution, claim 1 has been amended to recite that the pasteurizing in step (c) is "for a time period of at least nine hours at a temperature of 58 °C to 65 °C." This feature is described in the Examples and the table on page 9 of the specification as filed. The specification and amended claims provide

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sufficient guidance for one of ordinary skill in the art to use the claimed invention without undue experimentation. Therefore, the amended claims are enabled and the withdrawal of this rejection is requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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